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[10191/3709]

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Hermann GAESSLER et al.  
Serial No. : 10/547,190  
Filed : May 4, 2006  
For : METHOD FOR OPERATING AN HYDRAULIC  
ACTUATOR, IN PARTICULAR A GAS-EXCHANGE  
VALVE OF AN INTERNAL COMBUSTION ENGINE  
Examiner : Kyle M Riddle  
Art Unit : 3748  
Confirmation No. : 9174

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Date: 2/29/2008

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AARON C. DEDITCH

TRANSMITTAL (33,865)

SIR:

Transmitted herewith for filing in the above-identified patent application is a *Quayle Amendment*.

While no fees are believed to be due, the Commissioner is authorized, as appropriate and/or necessary, to charge any fees (including any Rule 136(a) extension fees) or credit any overpayment to Deposit Account No. 11-0600. A duplicate copy of this transmittal letter is enclosed for that purpose.

Respectfully submitted,

KENYON & KENYON LLP

By: [Signature]

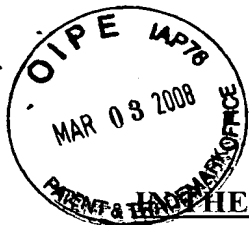
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Dated: 2/29/2008

33,865  
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DEDITCH



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AARON C. DEDITCH  
(33,865)

**Quayle RESPONSE/COMMUNICATION**

S I R:

In response to the Quayle Office Action mailed on January 9, 2008, the two-month response date for which was March 9, 2008, in which the Examiner has stated that the application is in condition for the declaration since it includes the phrase "material to examination" instead of "material to patentability", and that prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11 (453 O.G. 213), the following is submitted. Please reconsider the above-identified application based on the following:

Remarks begin on page 2 of this paper.